

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2451

Chapter 359, Laws of 2002

(partial veto)

57th Legislature
2002 Regular Session

TRANSPORTATION FUNDING

EFFECTIVE DATE: 4/4/02

Passed by the House March 14, 2002
Yeas 93 Nays 5

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 14, 2002
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved April 4, 2002, with the exception of subsections 208(4) and 208(5), pages 9-10; 216(8), pages 17-18; and 405(5), page 34, which are vetoed.

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2451** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED
April 4, 2002 - 3:03 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2451

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By House Committee on Transportation (originally sponsored by
Representatives Fisher, Chase and Ogden; by request of Governor Locke)

Read first time . Referred to Committee on .

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2001 2nd sp.s. c 14 ss 102, 203, 204, 205, 206, 202, 207, 209,
3 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, 221, 222, 224, 225,
4 226, 227, 228, 229, 230, 231, 232, 233, 301, 401, 402, 403, 406, and
5 407 (uncodified); amending 2000 2nd sp.s. c 1 s 724 (uncodified);
6 adding new sections to 2001 2nd sp.s. c 14 (uncodified); creating a new
7 section; making appropriations; and declaring an emergency.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 2001-03 BIENNIUM

10 GENERAL GOVERNMENT AGENCIES--OPERATING

11 **Sec. 101.** 2001 2nd sp.s. c 14 s 102 (uncodified) is amended to
12 read as follows:

13 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM**

14 Motor Vehicle Account--State Appropriation \$(~~1,676,000~~)
15 488,000

TRANSPORTATION AGENCIES

NEW SECTION. **Sec. 201.** A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD--OPERATING PROGRAM

Rural Arterial Trust Account--State

Appropriation	\$	741,000
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Motor Vehicle Account--State Appropriation . . .	\$ 1,886,000
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County Arterial Preservation Account--

State Appropriation	\$ 700,000
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TOTAL APPROPRIATION	\$	3,327,000
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Sec. 202. 2001 2nd sp.s. c 14 s 203 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD--CAPITAL PROGRAM

Rural Arterial Trust Account--State

Appropriation \$ ~~((50,182,000))~~

56,965,000

Motor Vehicle Account--State Appropriation . . \$ ((1,887,000))

368,000

County Arterial Preservation Account--

State Appropriation \$ ~~((28,551,000))~~

28,681,000

TOTAL APPROPRIATION \$ ((~~80,620,000~~))

86,014,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

~~((It is the intent of the legislature that the county road administration board receive separate programmatic appropriations for the operating program and the capital program for the 2001-03 biennium, and thereafter. Agency administrative costs may not be charged against projects or funded from the capital program appropriations.~~

~~—(1) \$1,540,000 of the motor vehicle account--state appropriation,
\$870,000 of the county arterial preservation account--state
appropriation, and \$917,000 of the rural arterial trust account--state~~

~~appropriation are provided for the operations program. Of the motor vehicle account--state appropriation, \$368,000 is provided for county ferries as set forth in RCW 47.56.724(4).~~

~~----- (2) \$347,000 of the motor vehicle account--state appropriation, \$27,681,000 of the county arterial preservation account--state appropriation, and \$49,265,000 of the rural arterial trust account--state appropriation are provided for the capital program.)~~
\$368,000 of the motor vehicle account--state appropriation is provided for county ferries as set forth in RCW 47.56.724(4).

NEW SECTION. **Sec. 203.** A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD--OPERATING PROGRAM

Urban Arterial Trust Account--State

Appropriation	\$	1,552,000
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Transportation Improvement Account--

State Appropriation	\$	1,551,000
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TOTAL APPROPRIATION	\$	3,103,000
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Sec. 204. 2001 2nd sp.s. c 14 s 204 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD--CAPITAL PROGRAM

Urban Arterial Trust Account--State

Appropriation	\$	((94,690,000))
		<u>105,622,000</u>

Transportation Improvement Account--

State Appropriation	\$	((118,605,000))
		<u>130,456,000</u>

TOTAL APPROPRIATION	\$	((213,295,000))
		<u>236,078,000</u>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

~~((It is the intent of the legislature that the transportation improvement board receive separate programmatic appropriations for the operating program and the capital program for the 2001-03 biennium, and thereafter. Agency administrative costs may not be charged against projects or funded from the capital program appropriations.~~

1 ~~—— (1) \$1,551,000 of the transportation improvement account--state~~
2 ~~appropriation and \$1,552,000 of the urban arterial trust account--state~~
3 ~~appropriation are provided for the operations program.~~

4 ~~—— (2) \$117,054,000 of the transportation improvement account--state~~
5 ~~appropriation and \$93,138,000 of the urban arterial trust~~
6 ~~account--state appropriation are provided for the capital program.~~

7 ~~—— (3))~~ The transportation improvement account--state appropriation
8 includes ((~~\$47,325,000~~)) \$34,030,000 in proceeds from the sale of bonds
9 authorized in RCW 47.26.500. The transportation improvement board may
10 authorize the use of current revenues available to the agency in-lieu
11 of bond proceeds for any part of the state appropriation.

12 **Sec. 205.** 2001 2nd sp.s. c 14 s 205 (uncodified) is amended to
13 read as follows:

14 **FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE**

15 Motor Vehicle Account--State Appropriation . . \$ 3,596,000

16 The appropriation in this section is subject to the following
17 conditions and limitations and specified amounts are provided solely
18 for that activity:

19 (1) \$2,823,000 of the motor vehicle account--state appropriation is
20 provided for the operation of the house of representatives
21 transportation committee.

22 (2) To the extent possible, this appropriation shall utilize funds
23 allocated under RCW 46.68.110(2).

24 (3) The house of representatives transportation committee shall
25 conduct a study of the use of motorized scooters. The study shall, at
26 a minimum, identify and analyze the safety issues associated with use
27 of motorized scooters, including use by children, commuters, and the
28 disabled. House of representatives transportation committee cochairs
29 shall each appoint one member from their respective caucus to serve as
30 cochair of the study group. The chair of the senate transportation
31 committee may also appoint two members from the senate transportation
32 committee, one from each caucus, to participate in the study. The
33 study shall be staffed by house of representatives transportation
34 committee staff. The study group shall report back to the house of
35 representatives transportation committee by January 1, 2002.

36 (4) The house of representatives transportation committee shall
37 conduct a study of the effect of the weight of fire-fighting apparatus

1 on state roadways. The study shall determine, at a minimum, the
2 various types of fire-fighting apparatus currently in use on state
3 roadways; the size, weight and load effect of fire-fighting apparatus
4 that are currently in use or that potentially could be in use on the
5 state roadways, as well as on state bridges; and the effect on public
6 safety. The study may examine state and federal laws that affect fire-
7 fighting apparatuses. House of representatives transportation
8 committee cochairs shall each appoint one member from their respective
9 caucus to serve as cochair of the study group. The study shall be
10 staffed by house of representatives transportation committee staff.
11 The study group will report back to the house of representatives
12 transportation committee by January 1, 2002.

13 (5) The legislative transportation committee shall conduct a
14 feasibility study of potential for economic partnerships between the
15 Washington state ferries and local government entities, including but
16 not limited to port districts. The study is intended to improve ferry
17 terminals. The study shall, at a minimum, identify the market,
18 physical, and economic factors that should be examined in determining
19 whether an economic or commercial development partnership project on or
20 around Washington state ferry terminals is likely to produce revenue
21 for the partners. The study shall apply those factors to an analysis
22 of each terminal used by Washington state ferries and recommend whether
23 further exploration of state and local partnerships would be of
24 potential economic benefit to the partners. The entity selected to
25 perform the study through the request for proposals process will report
26 back to the transportation committees of the legislature by December 1,
27 2001.

28 (6) The legislative transportation committee, in cooperation with
29 an areawide transportation system or systems, shall undertake an
30 evaluation of providing locally sponsored transit services in a local
31 community supplemental to those services provided by an areawide
32 system. The evaluation shall address:

- 33 (a) The costs and benefits of providing such services;
34 (b) The impact of such service on ridership on the areawide system
35 and on any regional systems;
36 (c) Funding options for supplemental services; and
37 (d) Institutional arrangements affecting the institution of
38 supplemental services.

1 The committee shall work with the department of transportation,
2 areawide transit providers, community officials, private businesses,
3 labor organizations, and others as appropriate in conducting the
4 evaluation, and in developing a pilot project if feasible. The
5 committee shall also conduct a study of local transit systems with the
6 purpose of making recommendations to make local transit services more
7 seamless and efficient. The committee shall provide an interim
8 progress report to the legislature by January 2002. The committee
9 shall report its findings to the legislature not later than December 1,
10 2002.

11 (7) The legislative transportation committee shall undertake an
12 evaluation of the statutory exemptions for transportation taxes,
13 including but not limited to motor vehicle fuel taxes. The committee
14 shall report its findings to the legislature by December 1, 2003.

15 (8) The legislative transportation committee will convene a working
16 group to review the costs, processes, and other considerations relating
17 to special vehicle license plates. The working group will also review
18 special license plate tabs and emblems. The committee will report its
19 findings to the legislature by December 1, 2002.

20 (9) The legislative transportation committee shall form a working
21 group to evaluate the feasibility of developing an alternative corridor
22 to Interstate 5 and Interstate 405 to expedite the movement of commerce
23 between the Canadian border, the central Puget Sound region, the south
24 Puget Sound region, and more southerly areas. The corridor would run
25 from approximately the Canadian border in the north to approximately
26 Lewis county in the south. This alternative corridor analysis shall
27 address truck, rail, pipeline, and other utility needs for the
28 corridor, to determine the feasibility of financing and constructing
29 such a corridor, taking into consideration: (a) Anticipated present
30 and future freight demand as well as freight traffic relief for
31 existing state highway and rail routes; (b) the potential for carrying
32 general purpose traffic to provide relief for other state highway
33 routes; (c) a cost-benefit analysis detailing various funding
34 possibilities, including federal funds and the use of charges and tolls
35 to fund construction and operation of the corridor as a utility
36 corridor and a toll facility; (d) an analysis detailing possible right
37 of way locations, including but not limited to property donations,
38 trades, or credits between or among the public and private sector; and
39 (e) possible private sector, local, or other partnerships that may be

1 used to fund the project. The working group shall report its findings
2 to the full committee by December 15, 2002.

3 **Sec. 206.** 2001 2nd sp.s. c 14 s 207 (uncodified) is amended to
4 read as follows:

5 **FOR THE TRANSPORTATION COMMISSION**

6 Motor Vehicle Account--State Appropriation . . . \$ 773,000

7 **Sec. 207.** 2001 2nd sp.s. c 14 s 209 (uncodified) is amended to
8 read as follows:

9 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

10 State Patrol Highway Account--

11 State Appropriation \$ ((~~162,081,000~~))
12 164,147,000

13 State Patrol Highway Account--

14 Federal Appropriation \$ ((~~7,084,000~~))
15 7,278,000

16 State Patrol Highway Account--

17 Private/Local Appropriation \$ 169,000

18 TOTAL APPROPRIATION \$ ((~~169,334,000~~))
19 171,594,000

20 The appropriations in this section are subject to the following
21 conditions and limitations and specified amounts are provided solely
22 for the activities of the field operations bureau:

23 (1) As a result of the elimination of the vehicle inspection number
24 (VIN) program, no permanent Washington state patrol employee shall be
25 displaced from employment without the opportunity to fill a vacant
26 patrol position for which he or she has a preference and meets the
27 minimum qualifications. For the purpose of the VIN program
28 elimination, the guidelines under chapter 356-26 WAC (Registers-
29 Certifications) shall be suspended for those employees holding the
30 classification of VIN 1 or 2.

31 (2) To the extent possible, the agency shall transfer displaced VIN
32 personnel into the 20 newly created school bus inspection and motor
33 carrier safety assistance program positions. The agency shall fill
34 existing vacant positions within the commercial vehicle division with
35 displaced VIN personnel. The agency shall report by December 31, 2001,

1 to the senate and house of representatives transportation committees on
2 efforts to relocate displaced VIN personnel.

3 *Sec. 208. 2001 2nd sp.s. c 14 s 210 (uncodified) is amended to
4 read as follows:

5 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

6 Multimodal Transportation Account--State

7 Appropriation \$ 5,247,000

8 State Patrol Highway Account--

9 State Appropriation \$ ((~~69,960,000~~))

10 71,736,000

11 State Patrol Highway Account--

12 Private/Local Appropriation \$ 735,000

13 TOTAL APPROPRIATION \$ ((~~70,695,000~~))

14 77,718,000

15 The appropriations in this section are subject to the following
16 conditions and limitations and specified amounts are provided solely
17 for the activities of the support services bureau:

18 (1) \$67,000 of the state patrol highway account--state
19 appropriation is provided solely for the patrol to work jointly with
20 the department of transportation, the military department, and the
21 department of natural resources, in coordination with the state
22 interoperability executive committee, on the development and
23 implementation of a secure geographical information system database to
24 illustrate locations and specifications of statewide radio and
25 microwave towers

26 (2) \$5,247,000 of the multimodal transportation account--state
27 appropriation and \$2,299,000 of the state patrol highway account--state
28 appropriation is a one time funding of general fund activities. The
29 general fund will resume funding these activities beginning in the
30 2003-05 biennium.

31 (3) The Washington state patrol shall review the policy of allowing
32 commissioned uniformed officers to use personally assigned vehicles for
33 commuting purposes. This provision applies to every Washington state
34 patrol officer except the chief and any officer that requires use of a
35 vehicle for work performed throughout the day. The agency shall submit
36 to the house of representatives and senate transportation committees by
37 December 1, 2002, a list of officers that use vehicles for commuting

purposes and any revisions to the vehicle use policy resulting from the review required under this subsection.

(4) The Washington state patrol shall contract with an independent consulting firm to develop a cost allocation system to identify which agency activities qualify as a "highway purpose" under Article II, section 40 of the state Constitution. The consulting firm shall present findings and recommendations to the legislative transportation committee during the 2002 legislative interim. The legislative transportation committee shall approve or reject those findings and recommendations.

(5) The final cost allocation system and processes must be utilized to develop the Washington state patrol's request budget for 2003-05.

*Sec. 208 was partially vetoed. See message at end of chapter.

NEW SECTION. **Sec. 209.** A new section is added to 2001 2nd sp.s. c 14 (uncodified) to read as follows:

FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU

Multimodal Transportation Account--State

Appropriation	\$	5,088,000
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The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for the activities referenced: \$5,088,000 of the multimodal transportation account--state appropriation is a one time funding of general fund activities. The general fund will resume funding these activities beginning in the 2003-05 biennium.

Sec. 210. 2001 2nd sp.s. c 14 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES

Marine Fuel Tax Refund Account--State

Appropriation	\$	((7,000))
		<u>3,000</u>

Motorcycle Safety Education Account--

State Appropriation	\$	((114,000))
		<u>88,000</u>

Wildlife Account--State Appropriation	\$	((89,000))
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81,000

Highway Safety Account--State Appropriation . .	\$	((7,740,000))
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1		7,724,000
2	<u>Highway Safety Account--Federal Appropriation</u>	\$ 55,000
3	Motor Vehicle Account--State Appropriation	\$ ((4,230,000))
4		4,400,000
5	Licensing Services Account--State	
6	Appropriation	\$ ((123,000))
7		173,000
8	TOTAL APPROPRIATION	\$ ((12,303,000))
9		12,524,000

10 The appropriations in this section are subject to the following
11 conditions and limitations and specified amounts are provided solely
12 for the activities referenced:

13 (1) \$6,000 of the motor vehicle account--state appropriation is
14 provided solely for the implementation of Senate Bill No. 5354 in the
15 form passed by the legislature. If Senate Bill No. 5354 is not enacted
16 in the form passed by the legislature the amount provided in this
17 subsection shall lapse.

18 (2) \$14,000 of the motor vehicle account--state appropriation and
19 \$3,000 of the highway safety account--state appropriation are provided
20 solely for the implementation of Senate Bill No. 6814 in the form
21 passed by the legislature. If Senate Bill No. 6814 is not enacted in
22 the form passed by the legislature the amounts provided in this
23 subsection shall lapse.

24 (3) \$26,000 of the motor vehicle account--state appropriation and
25 \$1,000 of the highway safety account--state appropriation are provided
26 solely for the implementation of Senate Bill No. 6748 in the form
27 passed by the legislature. If Senate Bill No. 6748 is not enacted in
28 the form passed by the legislature the amount provided in this
29 subsection shall lapse.

30 (4) \$2,000 of the motor vehicle account--state appropriation and
31 \$4,000 of the highway safety account--state appropriation is provided
32 solely for the implementation of Senate Bill No. 5626 in the form
33 passed by the legislature. If Senate Bill No. 5626 is not enacted in
34 the form passed by the legislature the amount provided in this
35 subsection shall lapse.

36 (5) \$11,000 of the highway safety account--state appropriation is
37 provided solely for the implementation of Senate Bill No. 6461 in the
38 form passed by the legislature. If Senate Bill No. 6461 is not enacted

1 in the form passed by the legislature the amount provided in this
2 subsection shall lapse.

3 **Sec. 211.** 2001 2nd sp.s. c 14 s 212 (uncodified) is amended to
4 read as follows:

5 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SYSTEMS**

6 Marine Fuel Tax Refund Account--State

7 Appropriation \$ 2,000

8 Motorcycle Safety Education Account--

9 State Appropriation \$ ((~~50,000~~))

10 13,000

11 Wildlife Account--State Appropriation \$ 34,000

12 Highway Safety Account--State Appropriation . . \$ ((~~5,655,000~~))

13 5,735,000

14 Highway Safety Account--Federal Appropriation . \$ 31,000

15 Motor Vehicle Account--State Appropriation . . \$ ((~~3,304,000~~))

16 3,695,000

17 Licensing Services Account--State

18 Appropriation \$ ((~~292,000~~))

19 213,000

20 TOTAL APPROPRIATION \$ ((~~9,337,000~~))

21 9,723,000

22 The appropriations in this section are subject to the following
23 conditions and limitations:

24 (1) The department of licensing shall report to the legislative
25 transportation committees on the progress of the expanded internet
26 service no later than December 15, 2002.

27 (2) \$4,000 of the motor vehicle account--state appropriation is
28 provided solely for the implementation of Senate Bill No. 5354 in the
29 form passed by the legislature. If Senate Bill No. 5354 is not enacted
30 in the form passed by the legislature the amount provided in this
31 subsection shall lapse.

32 (3) \$4,000 of the motor vehicle account--state appropriation and
33 \$2,000 of the highway safety account--state appropriation are provided
34 solely for the implementation of Senate Bill No. 6814 in the form
35 passed by the legislature. If Senate Bill No. 6814 is not enacted in
36 the form passed by the legislature the amounts provided in this
37 subsection shall lapse.

(4) \$19,000 of the motor vehicle account--state appropriation and \$1,000 of the highway safety account--state appropriation are provided solely for the implementation of Senate Bill No. 6748 in the form passed by the legislature. If Senate Bill No. 6748 is not enacted in the form passed by the legislature the amounts provided in this subsection shall lapse.

(5) \$1,000 of the motor vehicle account--state appropriation and \$3,000 of the highway safety account--state appropriation are provided solely for the implementation of Senate Bill No. 5626 in the form passed by the legislature. If Senate Bill No. 5626 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(6) \$8,000 of the highway safety account--state appropriation is provided solely for the implementation of Senate Bill No. 6461 in the form passed by the legislature. If Senate Bill No. 6461 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

Sec. 212. 2001 2nd sp.s. c 14 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES

Marine Fuel Tax Refund Account--

State Appropriation	\$	26,000
Wildlife Account--State Appropriation	\$	578,000
Motor Vehicle Account--State Appropriation	\$	((57,043,000))
		<u>58,191,000</u>

Licensing Services Account--State

Appropriation	\$	((3,123,000))
		<u>4,240,000</u>

TOTAL APPROPRIATION	\$	((60,770,000))
		<u>63,035,000</u>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for the activities referenced:

(1) \$82,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Senate Bill No. 6814 in the form passed by the legislature. If Senate Bill No. 6814 is not enacted

in the form passed by the legislature the amount provided in this subsection shall lapse.

(2) \$376,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Senate Bill No. 6748 in the form passed by the legislature. If Senate Bill No. 6748 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(3) \$77,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Senate Bill No. 5354 in the form passed by the legislature. If Senate Bill No. 5354 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(4) The department shall work cooperatively with the national guard to develop and make available a national guard sticker which may be affixed to a license plate. The stickers shall be available upon application. The department shall charge a fee for the stickers sufficient to defray the costs of production.

(5) The department shall work cooperatively with the Washington state council of fire fighters to develop and make available a fire fighter sticker which may be affixed to a license plate. The stickers shall be available upon application to members of the international association of fire fighters. The department shall charge a fee for the stickers sufficient to defray the costs of production.

(6) \$22,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Senate Bill No. 5626 in the form passed by the legislature. If Senate Bill No. 5626 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

Sec. 213. 2001 2nd sp.s. c 14 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES

Motorcycle Safety Education Account--

State Appropriation \$ ((2,223,000))

2,573,000

Highway Safety Account--State Appropriation . . \$ ((81,366,000))

82,175,000

Highway Safety Account--Federal Appropriation . . \$ 788,000

TOTAL APPROPRIATION \$ ((83,589,000))

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of licensing shall prepare a capital project plan adopting a process for using certificates of participation to purchase licensing services offices if the combined principle and interest payments are the same or less than existing or future leases on comparable facilities.

(2) \$21,000 of the highway safety fund--state appropriation is provided solely for the implementation of Senate Bill No. 6748 in the form passed by the legislature. If Senate Bill No. 6748 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(3) \$36,000 of the highway safety fund--state appropriation is provided solely for the implementation of Senate Bill No. 6814 in the form passed by the legislature. If Senate Bill No. 6814 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(4) \$162,000 of the highway safety account--state appropriation is provided solely for the implementation of Senate Bill No. 6461 in the form passed by the legislature. If Senate Bill No. 6461 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

(5) \$56,000 of the highway safety account--state appropriation is provided solely for the implementation of Senate Bill No. 5626 in the form passed by the legislature. If Senate Bill No. 5626 is not enacted in the form passed by the legislature the amount provided in this subsection shall lapse.

Sec. 214. 2001 2nd sp.s. c 14 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D--OPERATING

Motor Vehicle Account--State Appropriation . . . \$	((50,649,000))
	<u>50,644,000</u>
Motor Vehicle Account--Federal Appropriation . . . \$	400,000
TOTAL APPROPRIATION \$	((51,049,000))
	<u>51,044,000</u>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$3,296,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Engrossed Senate Bill No. 6188.

Sec. 215. 2001 2nd sp.s. c 14 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F

Aeronautics Account--State Appropriation . . .	\$	((4,852,000))
		<u>5,349,000</u>
Aircraft Search and Rescue Safety and		
Education Account--State Appropriation . .	\$	160,000
TOTAL APPROPRIATION	\$	((5,012,000))
		<u>5,509,000</u>

***Sec. 216.** 2001 2nd sp.s. c 14 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I

Motor Vehicle Account--State Appropriation . .	\$	((508,936,000))
		<u>417,472,000</u>
Motor Vehicle Account--Federal Appropriation .	\$	((219,538,000))
		<u>230,929,000</u>
Motor Vehicle Account--Private/Local		
Appropriation	\$	((40,904,000))
		<u>48,872,000</u>
<u>Tacoma Narrows Toll Bridge Account--State</u>		
<u>Appropriation</u>	<u>\$</u>	<u>839,000,000</u>
Special Category C Account--State		
Appropriation	\$	((72,608,000))
		<u>49,608,000</u>
((Multimodal Transportation Account--State		
Appropriation	\$	4,880,000))
TOTAL APPROPRIATION	\$	((846,866,000))
		<u>1,585,881,000</u>

The appropriations in this section are provided for the location, design, right of way acquisition, or construction of state highway

1 projects designated as improvements under RCW 47.05.030. The
2 appropriations in this section are subject to the following conditions
3 and limitations and specified amounts are provided solely for that
4 activity:

5 (1) The special category C account--state appropriation of
6 (~~(\$72,608,000)~~) \$49,608,000 includes (~~(\$63,500,000)~~) \$41,500,000 in
7 proceeds from the sale of bonds authorized in RCW 47.10.812. The
8 transportation commission may authorize the use of current revenues
9 available to the department of transportation in lieu of bond proceeds
10 for any part of the state appropriation.

11 (2) The department shall report December 1st and June 1st of each
12 year to the senate and the house of representatives transportation
13 committees and the office of financial management on the timing and the
14 scope of work being performed for the regional transit authority known
15 as sound transit. This report shall provide a description of all
16 department activities related to the regional transit authority
17 including investments in state-owned infrastructure.

18 (3) The motor vehicle account--state appropriation includes
19 (~~(\$391,637,000)~~) \$348,364,000 in proceeds from the sale of bonds
20 authorized by RCW 47.10.843. The transportation commission may
21 authorize the use of current revenues available to the department of
22 transportation in lieu of bond proceeds for any part of the state
23 appropriation.

24 (4) (~~At least \$554,714,000 of the total appropriation is provided~~
25 ~~for the construction phase of the improvement program.~~

26 ~~—(5)—~~) \$4,880,000 of the ((multimodal transportation)) motor vehicle
27 account--state appropriation is provided solely for the state program
28 share of freight mobility projects as identified by the freight
29 mobility strategic investment board.

30 (~~(+6)~~) (5) To manage some projects more efficiently, federal funds
31 may be transferred from program Z to programs I and P and state funds
32 shall be transferred from programs I and P to program Z to replace
33 those federal funds in a dollar-for-dollar match. Fund transfers
34 authorized under this subsection shall not affect project
35 prioritization status. Appropriations shall initially be allotted as
36 appropriated in this act. The department shall not transfer funds as
37 authorized under this subsection without approval of the transportation
38 commission and the director of financial management. The department
39 shall submit a report on those projects receiving fund transfers to the

1 transportation committees of the senate and house of representatives by
2 December 1, 2002.

3 (6) The motor vehicle account--state appropriation includes
4 \$3,898,000 in unexpended proceeds from the January 2001 bond sale
5 authorized in RCW 47.10.834 for the Tacoma Narrows bridge project. The
6 transportation commission may authorize the use of current revenues
7 available to the department of transportation in-lieu of bond proceeds
8 for any part of the state appropriation.

9 (7) The Tacoma narrows toll bridge account--state appropriation
10 includes \$800,000,000 in proceeds from the sale of bonds authorized by
11 RCW 47.10.843.

12 (8) Upon completion of the Vancouver high-occupancy vehicle lanes
13 pilot project that began on October 28, 2001, and concludes October 28,
14 2002, the department of transportation may only proceed with future
15 high-occupancy vehicle lane projects in counties with a population of
16 300,000 or more that border the state of Oregon, when vehicle spaces at
17 park and ride lots within the county are two and one-half times the
18 capacity in existence on January 1, 2002, or if the Interstate 5 bridge
19 over the Columbia River is retrofitted to include four southbound
20 general purpose lanes.

21 *Sec. 216 was partially vetoed. See message at end of chapter.

22 **Sec. 217.** 2001 2nd sp.s. c 14 s 218 (uncodified) is amended to
23 read as follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION ECONOMIC**
25 **PARTNERSHIPS--PROGRAM K--OPERATING**

26 Motor Vehicle Account--State Appropriation . . \$ ((1,153,000))
27 1,448,000

28 The appropriation in this section is subject to the following
29 conditions and limitations: \$300,000 of the motor vehicle account--
30 state appropriation is provided solely for a study of private-public
31 partnerships in transportation. The department of transportation shall
32 provide staff support to a legislative oversight committee that will
33 manage a study of public-private partnerships in transportation. The
34 legislative oversight committee will consist of three members from each
35 caucus in each house of the legislature, appointed by the leadership of
36 the legislators' respective caucus. The legislative oversight
37 committee shall analyze and make recommendations on: (1) The barriers

that prevent the private sector from providing transportation services, which could include ferry, bus, or monorail; (2) the use of public-private partnerships nationally and the experiences of other states in using public-private partnerships; (3) the public-private opportunities for transportation projects in Washington; and (4) the advantages and disadvantages of the financing options available for public-private partnerships. The legislative oversight committee shall report its findings and recommendations to the legislature by December 1, 2003.

Sec. 218. 2001 2nd sp.s. c 14 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M		
Motor Vehicle Account--State Appropriation . . . \$	((275,394,000))	
		<u>275,380,000</u>
Motor Vehicle Account--Federal Appropriation . . . \$		512,000
Motor Vehicle Account--Private/Local		
Appropriation \$		4,067,000
TOTAL APPROPRIATION \$	((279,973,000))	
		<u>279,959,000</u>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

(1) If portions of the appropriations in this section are required to fund maintenance work resulting from major disasters not covered by federal emergency funds such as fire, flooding, and major slides, supplemental appropriations will be requested to restore state funding for ongoing maintenance activities.

(2) The department shall request an unanticipated receipt for any federal moneys received for emergency snow and ice removal and shall place an equal amount of the motor vehicle account--state into unallotted status. This exchange shall not affect the amount of funding available for snow and ice removal.

Sec. 219. 2001 2nd sp.s. c 14 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P		
Motor Vehicle Account--State Appropriation . . . \$	((90,760,000))	
		<u>139,334,000</u>

1	Motor Vehicle Account--Federal Appropriation	\$	((318,795,000))
2			<u>341,124,000</u>
3	Motor Vehicle Account--Private/Local		
4	Appropriation	\$	((8,717,000))
5			<u>7,202,000</u>
6	Multimodal Transportation Account--State		
7	Appropriation	\$	((64,218,000))
8			<u>14,000,000</u>
9	Multimodal Transportation Account--Federal		
10	Appropriation	\$	((95,682,000))
11			<u>56,000,000</u>
12	TOTAL APPROPRIATION	\$	((578,172,000))
13			<u>557,660,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations and specified amounts are provided solely
16 for that activity:

17 (1) If portions of the appropriations in this section are required
18 to fund preservation work resulting from major disasters not covered by
19 federal emergency funds such as fire, flooding, and major slides,
20 supplemental appropriations will be requested to restore state funding
21 for ongoing maintenance activities.

22 (2) The motor vehicle account--state appropriation includes
23 (~~(\$6,524,000 for earthquake repairs and to match federal emergency~~
24 ~~relief funds. This amount includes)~~) \$3,750,000 in proceeds from the
25 sale of bonds authorized in RCW 47.10.761 and 47.10.762 for emergency
26 purposes. The transportation commission may authorize the use of
27 current revenues available to the department of transportation in lieu
28 of bond proceeds for any part of the state appropriation.

29 (3) The motor vehicle account--state appropriation includes
30 \$9,183,000 in proceeds from the sale of bonds authorized by RCW
31 47.10.843. The transportation commission may authorize the use of
32 current revenues available to the department in lieu of bond proceeds
33 for any part of the state appropriation.

34 (4) The department of transportation is authorized to maximize the
35 use of federal and state funds to implement the provisions of this
36 section.

37 (~~((4) \$471,763,000 of the total appropriation is provided for the~~
38 ~~construction phase of the preservation program.))~~)

(5) The motor vehicle account--federal appropriation and the multimodal transportation account--federal appropriation are transferable between each other to ensure efficient funds management and program delivery.

(6) To manage some projects more efficiently, federal funds may be transferred from program Z to programs I and P and state funds shall be transferred from programs I and P to program Z to replace those federal funds in a dollar-for-dollar match. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department may not transfer funds as authorized under this subsection without approval of the transportation commission and the director of financial management. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2002.

(7) The department of transportation, with approval of the transportation commission, shall expend up to \$3,000,000 of the motor vehicle account--state appropriation on the incident response program. Spending on other projects within the preservation program shall be adjusted to accommodate these expenditures.

(8) The department of transportation, with approval of the transportation commission, shall expend funds appropriated under this section on the Alaska Way viaduct. Spending on other projects within the preservation program shall be adjusted to accommodate these expenditures.

Sec. 220. 2001 2nd sp.s. c 14 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--OPERATING

Motor Vehicle Account--State Appropriation	\$	32,402,000
Motor Vehicle Account--Private/Local		
Appropriation	\$	125,000
TOTAL APPROPRIATION	\$	32,527,000

The appropriations in this section are subject to the following conditions and limitations: If Senate Bill No. 5949 is enacted in the

1 form passed by the legislature, \$518,000 of the motor vehicle account--
2 state appropriation shall lapse.

3 **Sec. 221.** 2001 2nd sp.s. c 14 s 224 (uncodified) is amended to
4 read as follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
6 **SUPPORT--PROGRAM S**

7 State Patrol Highway Account--State

8 Appropriation \$ 926,000

9 Motor Vehicle Account--State Appropriation . . \$ ((~~94,632,000~~))

10 95,755,000

11 Motor Vehicle Account--Federal Appropriation . \$ 2,654,000

12 Puget Sound Ferry Operations Account--

13 State Appropriation \$ 6,642,000

14 Multimodal Transportation Account--State

15 Appropriation \$ ((~~2,082,000~~))

16 1,397,000

17 TOTAL APPROPRIATION \$ ((~~106,936,000~~))

18 107,374,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$67,000 of the motor vehicle account--
21 state appropriation is provided solely for the department of
22 transportation to work jointly with the department of natural
23 resources, the military department, and the Washington state patrol, in
24 coordination with the state interoperability executive committee, on
25 the development and implementation of a secure geographical information
26 system (GIS) database to illustrate locations and specifications of
27 statewide radio and microwave towers.

28 **Sec. 222.** 2001 2nd sp.s. c 14 s 225 (uncodified) is amended to
29 read as follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
31 **AND RESEARCH--PROGRAM T**

32 Motor Vehicle Account--State Appropriation . . \$ ((~~18,250,000~~))

33 11,496,000

34 Motor Vehicle Account--Federal Appropriation . \$ 18,800,000

35 Multimodal Transportation Account--State

36 Appropriation \$ 987,000

1	Multimodal Transportation Account--Federal		
2	Appropriation	\$	2,000,000
3	TOTAL APPROPRIATION	\$	((40,037,000))
4			<u>33,283,000</u>

5 The appropriations in this section are subject to the following
6 conditions and limitations and the specified amount is provided solely
7 for that activity:

8 ((+1)) The motor vehicle account--state appropriation includes
9 \$1,000,000 distributed under RCW 46.68.110(2):

10 ((+a)) (1) \$500,000 of the distribution under RCW 46.68.110(2) is
11 to be used solely by the department of transportation to collect and
12 enter collision reports into the statewide collision reporting system
13 for local roadway planning and safety analysis.

14 ((+b)) (2) \$500,000 of the distribution under RCW 46.68.110(2) is
15 provided solely to the department of transportation for the Washington
16 strategic freight transportation analysis. The department shall work
17 with the transportation research center to conduct an origin and
18 destination study to determine the impacts of trade-related truck
19 traffic and other truck impacts on the highway system. The department
20 may also conduct other research elements, including, but not limited
21 to, freight corridor identification, strategic resource access, and
22 road network review.

23 ((+2)) ~~\$6,754,000 of the motor vehicle account--state appropriation~~
24 ~~is provided for the implementation of Senate Bill No. 5749 in the form~~
25 ~~enacted by the legislature. If Senate Bill No. 5749 is not enacted in~~
26 ~~the form passed by the legislature by July 31, 2001, this funding shall~~
27 ~~lapse.))~~

28 **Sec. 223.** 2001 2nd sp.s. c 14 s 226 (uncodified) is amended to
29 read as follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
31 **PROGRAM U**

32 Payments in this section represent charges from other state
33 agencies to the department of transportation.

34 (1) FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF
35 RISK MANAGEMENT FEES

36	Motor Vehicle Account--State Appropriation . . .	\$	464,000
37	Puget Sound Ferry Operations--State		

1	Appropriation	\$	154,000
2	(2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR		
3	Motor Vehicle Account--State Appropriation . .	\$	((731,000))
4			<u>713,000</u>
5	(3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION		
6	FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES		
7	Motor Vehicle Account--State Appropriation . .	\$	((4,128,000))
8			<u>4,047,000</u>
9	(4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL		
10	Motor Vehicle Account--State Appropriation . .	\$	((2,240,000))
11			<u>2,237,000</u>
12	(5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND		
13	ADMINISTRATION		
14	Motor Vehicle Account--State Appropriation . .	\$	((13,892,000))
15			<u>28,755,000</u>
16	Motor Vehicle Fund--Puget Sound Ferry Operations Account--		
17	State Appropriation	\$	4,204,000
18	The office of risk management shall evaluate the risk pool premium		
19	assessments to ensure that proper tracking, measuring, and reporting		
20	methods have been utilized to ensure funding equity has been		
21	maintained. "Funding equity" includes but is not limited to		
22	demonstrating that premiums assessed to the department of		
23	transportation will, over time, not exceed claims paid in order to		
24	ensure that premiums paid by the department of transportation are not		
25	unconstitutionally expended for nonhighway purposes. The office of		
26	risk management shall make a full report of its findings to the		
27	legislature no later than January 15, 2002.		
28	(6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS		
29	ENTERPRISES		
30	Motor Vehicle Account--State Appropriation . .	\$	251,000
31	(7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL		
32	PROJECTS SURCHARGE		
33	Motor Vehicle Account--State Appropriation . .	\$	1,547,000
34	(8) FOR ARCHIVES AND RECORDS MANAGEMENT		
35	Motor Vehicle Account--State Appropriation . .	\$	((469,000))
36			<u>457,000</u>
37	TOTAL APPROPRIATION	\$	((28,080,000))

1 42,829,000

2 **Sec. 224.** 2001 2nd sp.s. c 14 s 227 (uncodified) is amended to
3 read as follows:

4 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**

5 Multimodal Transportation Account--State

6 Appropriation \$ (~~(11,160,000)~~)
7 10,960,000

8 Multimodal Transportation Account--Federal

9 Appropriation \$ 3,074,000

10 Multimodal Transportation Account--

11 Private/Local Appropriation \$ 205,000

12 TOTAL APPROPRIATION \$ (~~(14,439,000)~~)
13 14,239,000

14 **Sec. 225.** 2001 2nd sp.s. c 14 s 228 (uncodified) is amended to
15 read as follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
17 **CONSTRUCTION--PROGRAM W**

18 Motor Vehicle Account--State

19 Appropriation \$ (~~(144,404,000)~~)
20 134,390,000

21 Motor Vehicle Account--Federal

22 Appropriation \$ 37,472,000

23 Passenger Ferry Account--State Appropriation . \$ 1,500,000

24 Passenger Ferry Account--Federal

25 Appropriation \$ 4,000,000

26 TOTAL APPROPRIATION \$ (~~(187,376,000)~~)
27 177,362,000

28 The appropriations in this section are provided for improving the
29 Washington state ferry system, including, but not limited to, vessel
30 acquisition, vessel construction, major and minor vessel improvements,
31 and terminal construction and improvements. The appropriations in this
32 section are subject to the following conditions and limitations and
33 specified amounts are provided solely for that activity:

34 (1) The motor vehicle account--state appropriation includes
35 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
36 47.10.843 for vessel and terminal acquisition, major and minor

1 improvements, and long lead time materials acquisition for the
2 Washington state ferries. The transportation commission may authorize
3 the use of current revenues available to the motor vehicle account in
4 lieu of bond proceeds for any part of the state appropriation.

5 (2) Appropriations in this section include funding for the purchase
6 or lease-purchase of one passenger ferry and assume the proceeds of the
7 sale of the MV Kalama and MV Skagit passenger ferries shall be
8 deposited in the passenger ferry account.

9 (3) The department shall provide staff support to a legislative
10 oversight committee that will manage a study of the Eagle Harbor
11 maintenance facility. The legislative oversight committee shall
12 consist of two members from each caucus in each house of the
13 legislature, appointed by the leadership of the members' respective
14 caucus. The department shall issue a request for proposals on behalf
15 of the legislative oversight committee for an outside consulting firm
16 to conduct a study on the preservation, replacement, or supplementation
17 of the Eagle Harbor maintenance facility. The study must analyze: (a)
18 The costs and benefits to preserve and maintain or relocate the
19 facility; (b) the impact of Eagle Harbor employment on the local
20 community and Kitsap county; and (c) a recommendation on future
21 investment in the Eagle Harbor maintenance facility or possible
22 alternatives. The contractor and the legislative oversight committee
23 must report back to the legislature's transportation committees no
24 later than December 10, 2002.

25 **Sec. 226.** 2001 2nd sp.s. c 14 s 229 (uncodified) is amended to
26 read as follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

28 Puget Sound Ferry Operations Account--State

29 Appropriation \$ ((~~321,673,000~~))
30 311,312,000

31 The appropriation in this section is subject to the following
32 conditions and limitations and specified amounts are provided solely
33 for that activity:

34 (1) The appropriation is based on the budgeted expenditure of
35 ((~~\$46,881,000~~)) \$35,159,000 for vessel operating fuel in the 2001-2003
36 biennium. If the actual cost of fuel is less than this budgeted
37 amount, the excess amount may not be expended. If the actual cost

1 exceeds this amount, the department shall request a supplemental
2 appropriation.

3 (2) The appropriation provides for the compensation of ferry
4 employees. The expenditures for compensation paid to ferry employees
5 during the 2001-2003 biennium may not exceed (~~(\$206,696,000)~~)
6 \$207,065,000 plus a dollar amount, as prescribed by the office of
7 financial management, that is equal to any insurance benefit increase
8 granted general government employees in excess of \$432.82 a month
9 annualized per eligible marine employee multiplied by the number of
10 eligible marine employees for the respective fiscal year, a dollar
11 amount as prescribed by the office of financial management for costs
12 associated with pension amortization charges, and a dollar amount
13 prescribed by the office of financial management for salary increases
14 during the 2001-2003 biennium. For the purposes of this section, the
15 expenditures for compensation paid to ferry employees shall be limited
16 to salaries and wages and employee benefits as defined in the office of
17 financial management's policies, regulations, and procedures named
18 under objects of expenditure "A" and "B" (7.2.6.2).

19 The prescribed salary and insurance benefit increase or decrease
20 dollar amount that shall be allocated from the governor's compensation
21 appropriations is in addition to the appropriation contained in this
22 section and may be used to increase or decrease compensation costs,
23 effective July 1, 2001, and thereafter, as established in the 2001-2003
24 general fund operating budget.

25 (3) The department shall issue a request for information from
26 entities interested in purchasing advertising on board Washington state
27 ferry vessels. The department shall evaluate the proposals and report
28 back to the legislature's transportation committees in January 2002
29 regarding the potential for revenue from different types of
30 advertising.

31 (4) The department may enter into contracts with private vendors to
32 sell ferry tickets and medium at locations other than Washington state
33 ferry terminals or facilities.

34 (a) The department may enter into the contracts only (i) with
35 private vendors that are already established businesses offering goods
36 for sale to the general public; and (ii) if it determines that the
37 vendor's established location has the potential to serve a significant
38 percentage of the customers using a particular ferry route.

(b) The department may adopt necessary rules and procedures to allow the use of credit and debit cards to purchase ferry tickets or medium from a private vendor who has contracted with the department to sell ferry tickets or medium. The department may establish a convenience fee to be paid by all persons purchasing ferry tickets and medium at locations other than Washington state ferry terminals or facilities. The convenience fee must be sufficient to offset the charges imposed on the department by the credit and debit card companies. In no event may the use of credit or debit cards authorized by this section create a loss of revenue to the state. The use of a personal credit card does not rely upon the credit of the state as prohibited by Article VIII, section 5 of the state Constitution.

~~((The legislature recognizes that projected revenues to the Puget Sound ferry operating account for the 2001-2003 biennium may be up to \$30,000,000 less than what is required to fund the appropriation provided in this section. The legislature intends to fully evaluate the extent of the shortfall and make a supplemental appropriation during the 2002 legislative session.))~~ The legislature recognizes the value of a regional fare collection system to promote intermodal travel throughout Washington state ferries' Puget Sound service area and therefore encourages the department to resume participation in the regional fare coordination project (smart card). The department shall develop a request for funding of the on-going operating costs associated with the regional fare coordination project and shall present this request to the 2003 legislature. The request for funding shall be sufficient to support a system that prevents the disclosure of personally identifying information of persons who use a smart card to facilitate payment of ferry fares. The requested system may facilitate the disclosure of aggregate information on fare collection to governmental agencies or groups concerned with public transportation or public safety as long as the data does not contain any personally identifying information. The requested system shall not prevent the release of personally identifying information to law enforcement agencies when required by a subpoena.

Sec. 227. 2001 2nd sp.s. c 14 s 230 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING
Multimodal Transportation Account--State

1	Appropriation	\$	((32,704,000))
2			<u>33,001,000</u>
3	Sec. 228. 2001 2nd sp.s. c 14 s 231 (uncodified) is amended to		
4	read as follows:		
5	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL		
6	Essential Rail Assistance Account--State		
7	Appropriation	\$	((200,000))
8			<u>600,000</u>
9	Multimodal Transportation Account--State		
10	Appropriation	\$	((11,610,000))
11			<u>10,710,000</u>
12	Multimodal Transportation Account--Federal		
13	Appropriation	\$	9,630,000
14	Washington Fruit Express Account--State		
15	Appropriation	\$	500,000
16	TOTAL APPROPRIATION	\$	((21,940,000))
17			<u>21,440,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations and specified amounts are provided solely
20 for that activity:

21 (1) \$2,000,000 of the multimodal transportation account--state
22 appropriation is provided solely for the Grays Harbor loop project.

23 (2) The entire Washington fruit express account is provided solely
24 to promote the shipment of a variety of agricultural products,
25 including, but not limited to, apples, pears, and potatoes.

26 **Sec. 229.** 2001 2nd sp.s. c 14 s 232 (uncodified) is amended to
27 read as follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM**
29 **Z--OPERATING**

30	Motor Vehicle Account--State Appropriation . .	\$	((6,231,000))
31			<u>6,383,000</u>
32	Motor Vehicle Account--Federal Appropriation .	\$	2,569,000
33	Multimodal Transportation Account--State		
34	Appropriation	\$	150,000
35	TOTAL APPROPRIATION	\$	((8,950,000))
36			<u>9,102,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations and specified amounts are provided solely
3 for that activity:

4 (1) The motor vehicle account--state appropriation includes
5 \$150,000 distributed under RCW 46.68.110(2) that is provided to the
6 Whatcom county council of governments for the sole purpose of
7 developing and implementing a model of regional transportation
8 governance. This model shall be developed in accordance with
9 Recommendation 6 of the Blue Ribbon Commission on Transportation's
10 final report.

11 The council shall develop a model that can be used in other parts
12 of the state and shall report to the transportation committees in the
13 senate and house of representatives on the positive and negative
14 aspects of the model as well as costs associated with it no later than
15 June 30, 2002.

16 (2) \$250,000 of the motor vehicle account--state appropriation is
17 provided solely for a study of concurrency issues in urban areas marked
18 by multiple contiguous jurisdictions. The study, lead by the city of
19 Bellevue, will focus on the jurisdictions of Bellevue, Kirkland,
20 Issaquah, and Redmond and will look at existing and unused
21 methodologies for including development in neighboring jurisdictions in
22 concurrency calculations. The study will also investigate what changes
23 in state and local laws are needed in order to provide a more effective
24 way of dealing with concurrency issues. By November 1, 2003, a report
25 of the findings will be made to the transportation committees of the
26 legislature. The appropriation in this subsection shall lapse unless
27 the participating cities provide \$100,000 for the study. To the extent
28 possible, state funding for this subsection shall utilize funds
29 allocated under RCW 46.68.110(2).

30 (3) Up to \$500,000 of the motor vehicle account--state
31 appropriation is provided solely for the study of alternatives for
32 repairing or replacing the Seattle sea wall. The department's
33 expenditure of funds provided in this subsection may not exceed the
34 matching contribution provided by the city of Seattle for the study.

35 **Sec. 230.** 2001 2nd sp.s. c 14 s 233 (uncodified) is amended to
36 read as follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM	
2	Z--CAPITAL	
3	Motor Vehicle Account--State Appropriation . . . \$	((77,371,000))
4		<u>77,221,000</u>
5	Highway Infrastructure Account--State	
6	Appropriation \$	234,000
7	Highway Infrastructure Account--Federal	
8	Appropriation \$	1,500,000
9	Urban Arterial Trust Account--State	
10	Appropriation \$	((4,674,000))
11		<u>4,332,000</u>
12	Multimodal Transportation Account--State	
13	Appropriation \$	((10,150,000))
14		<u>10,300,000</u>
15	TOTAL APPROPRIATION \$	((93,929,000))
16		<u>93,587,000</u>

17 The appropriations in this section are subject to the following
18 conditions and limitations and specified amounts are provided solely
19 for that activity:

20 ((~~1~~)) (1) \$10,000,000 of the multimodal transportation account--
21 state appropriation is provided solely to fund the first phase of a
22 multiphase cooperative project with the state of Oregon to dredge the
23 Columbia river. The department shall not expend the appropriation in
24 this section unless agreement on ocean disposal sites has been reached
25 which protects the state's commercial crab fishery. The amount
26 provided in this subsection shall lapse unless the state of Oregon
27 appropriates a dollar-for-dollar match to fund its share of the
28 project.

29 ((~~2~~)) (2) The motor vehicle account--state appropriation includes
30 ((~~\$12,000,000~~)) \$46,090,000 in proceeds from the sale of bonds
31 authorized by RCW 47.10.843 in addition to \$16,420,000 in unexpended
32 proceeds from the January 2001 sale. The transportation commission may
33 authorize the use of current revenues available to the department of
34 transportation in lieu of bond proceeds for any part of the state
35 appropriation.

36 ((~~3~~)) (3) \$4,159,000 of the motor vehicle account--state
37 appropriation is provided solely for additional small city pavement

1 preservation program grants, to be administered by the department's
2 highways and local programs division.

3 ~~((+5+))~~ (4) \$2,000,000 of the motor vehicle account--state
4 appropriation is provided solely for additional traffic and pedestrian
5 safety improvements near schools. The highways and local programs
6 division within the department of transportation shall administer this
7 program.

8 (5) To manage some projects more efficiently, federal funds may be
9 transferred from program Z to programs I and P and state funds shall be
10 transferred from programs I and P to program Z to replace those federal
11 funds in a dollar-for-dollar match. Fund transfers authorized under
12 this subsection shall not affect project prioritization status.
13 Appropriations shall initially be allotted as appropriated in this act.
14 The department may not transfer funds as authorized under this
15 subsection without approval of the transportation commission and the
16 director of financial management. The department shall submit a report
17 on those projects receiving fund transfers to the transportation
18 committees of the senate and house of representatives by December 1,
19 2002.

20 (End of part)

TRANSPORTATION AGENCIES CAPITAL FACILITIES

Sec. 301. 2001 2nd sp.s. c 14 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account--State

Appropriation	\$	780,000
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Motor Vehicle Account--State Appropriation . . \$ ((2,705,000))

1,830,000

TOTAL APPROPRIATION \$ ((~~3,485,000~~))

2,610,000

(End of part)

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2001 2nd sp.s. c 14 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND TRANSPORTATION FUND REVENUE

Highway Bond Retirement Account Appropriation	\$	((207,900,000))
		<u>208,206,000</u>
Ferry Bond Retirement Account Appropriation	\$	((48,675,000))
		<u>52,473,000</u>
Transportation Improvement Board Bond Retirement Account--State Appropriation	\$	40,856,000
Motor Vehicle Account--State Appropriation	\$	((4,537,000))
		<u>4,588,000</u>
Special Category C Account--State Appropriation	\$	((635,000))
		<u>631,000</u>
Transportation Improvement Account--State Appropriation	\$	((473,000))
		<u>340,000</u>
TOTAL APPROPRIATION	\$	((303,076,000))
		<u>307,094,000</u>

Sec. 402. 2001 2nd sp.s. c 14 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Motor Vehicle Account--State Appropriation	\$	((450,000))
		<u>459,000</u>
Special Category C Account Appropriation	\$	((63,000))
		<u>41,000</u>
Transportation Improvement Account--State Appropriation	\$	((47,000))
		<u>34,000</u>
TOTAL APPROPRIATION	\$	((560,000))
		<u>534,000</u>

1 **Sec. 403.** 2001 2nd sp.s. c 14 s 403 (uncodified) is amended to
2 read as follows:

3 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

4 (~~Motor Vehicle Account Appropriation for~~
5 ~~motor vehicle fuel tax refunds and~~
6 ~~distributions \$ 458,895,000~~))
7 Motor Vehicle Account Appropriation for
8 motor vehicle fuel tax distributions to
9 cities and counties \$ ((~~428,546,000~~))
10 428,981,000
11 (~~Motor Vehicle Account Appropriation for~~
12 ~~license, permit, and fee distribution to~~
13 ~~other accounts \$ 349,936,000~~))

14 ***Sec. 404.** 2001 2nd sp.s. c 14 s 406 (uncodified) is amended to
15 read as follows:

16 **FOR THE STATE TREASURER--TRANSFERS**

17 (1) RV Account--State Appropriation:
18 For transfer to the Motor Vehicle Fund--State . \$ ((~~1,135,000~~))
19 1,344,000

20 The department of transportation shall only transfer funds provided
21 under subsection (1) of this section on an as-needed basis.

22 (2) Public Transportation Systems Account--
23 State Appropriation: For transfer to the
24 Multimodal Transportation Account--State . . . \$ 1,911,000

25 (3) State Patrol Highway Account--State
26 Appropriation: For transfer to the Motor
27 Vehicle Account \$ ((~~38,657,000~~))
28 48,657,000

29 (4) Motor Vehicle Account--State
30 Appropriation: For motor vehicle fuel tax
31 refunds and transfers \$ 453,279,000

32 (5) Motor Vehicle Account--State
33 Appropriation: For license, permit, and
34 fee transfers to other accounts \$ 350,669,000

35 (6) Urban Arterial Trust Account--State
36 Appropriation: For transfer of excess City

1 Hardship Assistance Program revenues to
2 cities \$ 1,500,000
3 (7) Highway Safety Account--State
4 Appropriation: For transfer to the multimodal
5 transportation account \$ 20,000,000
6 (8) Motor Vehicle Account--State
7 Appropriation: For transfer to the Tacoma
8 Narrows toll bridge account \$ 839,000,000
9 (9) Highway Safety Account--State
10 Appropriation: For transfer to the motor
11 vehicle account--state \$ \$5,000,000

12 ~~((If House Bill No. 2216 or Senate Bill No. 5078 is enacted in the~~
13 ~~form passed by the legislature, the \$38,737,000 transfer from the state~~
14 ~~patrol highway account--state to the motor vehicle account is null and~~
15 ~~void. If neither House Bill No. 2216 nor Senate Bill No. 5078 is~~
16 ~~enacted in the form passed by the legislature, the state treasurer~~
17 ~~shall transfer funds from the state patrol highway account to the motor~~
18 ~~vehicle account on a quarterly basis.))~~ (1) If Senate Bill No. 6814 is
19 enacted in the form passed by the legislature, \$16,191,000 of the
20 transfer from the Washington state patrol account--state to the motor
21 vehicle account--state shall lapse. The state treasurer shall perform
22 the transfers from the state patrol highway account to the motor
23 vehicle account on a quarterly basis.

24 (2) The department of transportation is authorized to sell up to
25 \$800,000,000 in bonds authorized by RCW 47.10.843 for the Tacoma
26 Narrows bridge project. Proceeds from the sale of the bonds shall be
27 deposited into the motor vehicle account. The department of
28 transportation shall inform the treasurer of the amount to be
29 deposited.

30 ***Sec. 404 was partially vetoed. See message at end of chapter.**

31 **Sec. 405.** 2001 2nd sp.s. c 14 s 407 (uncodified) is amended to
32 read as follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

34 (1) Motor Vehicle Fund--State Appropriation:
35 For transfer to Puget Sound Ferry Operations
36 Account \$ ((27,000,000))
37 38,300,000

1 **PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS**

2 NEW SECTION. **Sec. 501.** If any provision of this act or its
3 application to any person or circumstance is held invalid, the
4 remainder of the act or the application of the provision to other
5 persons or circumstances is not affected.

6 NEW SECTION. **Sec. 502.** The following bills are necessary to
7 implement this act: Senate Bill No. 6814 in the form enacted by the
8 legislature.

9 **Sec. 503.** 2000 2nd sp.s. c 1 s 724 (uncodified) is amended to read
10 as follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--REGIONAL TRANSIT AUTHORITY.**

12 (1) The sum of twelve million seven hundred thousand dollars is
13 appropriated from the general fund--state for fiscal year 2001 solely
14 for allocation to Sound Transit regional transit authority for the King
15 street rail maintenance facility to be built in partnership with
16 Amtrak. The appropriation in this subsection is conditioned on the
17 execution of agreements between the department of transportation,
18 Amtrak, Sound Transit, and other participating parties that will assure
19 that the maintenance and operation of the maintenance facility will not
20 require state funding except for billings for maintenance of state-
21 owned passenger trains.

22 (2) The sum of fifteen million dollars is appropriated from the
23 state general fund for fiscal year 2000 solely for allocation to Sound
24 Transit regional transit authority as a state contribution to the
25 extension of Sounder passenger rail service to Everett.

26 (3) The amounts appropriated in this section constitute a transfer
27 of local government costs under RCW 43.135.060(2).

28 NEW SECTION. **Sec. 504.** This act is necessary for the immediate
29 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

3 (End of part)

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Passed the House March 14, 2002.

Passed the Senate March 14, 2002.

Approved by the Governor April 4, 2002, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 4, 2002.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to subsections
3 208(4) and 208(5), pages 9-10; 216(8), pages 17-18; and 404(5), page
4 34, Engrossed Substitute House Bill No. 2451 entitled:

5 "AN ACT Relating to transportation funding and appropriations;"

6 **Subsections 208(4) and 208(5), pages 9-10 (Washington State**
7 **Patrol-Support Services Bureau)**

8 Subsections 4 and 5 of section 208 would have required the
9 Washington State Patrol to contract with an independent consulting firm
10 to develop a cost allocation system to qualify activities as "highway
11 purposes" under Article II, Section 40 of the State Constitution - the
12 18th amendment - and that such findings shall be utilized in the
13 development of the agency's 2003-05 budget request.

14 No additional funds were provided to conduct this study. In
15 addition, the competitive selection of a consulting firm, familiarizing
16 the contractor with agency programs, and the development of a cost
17 allocation system would involve many agency staff members, and could
18 not be done quickly. It is unlikely a thoughtful product could be
19 developed within the time frame required in the proviso.

20 While I have vetoed these subsections, I direct the Washington
21 State Patrol to provide the Legislative Transportation Committee with
22 an overview of its application of the constitutional limitations
23 imposed on the spending of 18th amendment funds. This is of paramount
24 importance in maintaining the integrity and sustainability of the
25 Patrol's budget, given the large influx of one-time transportation
26 funds to offset what had been omnibus appropriations.

27 **Subsection 216(8), pages 17-18 (Department of Transportation--**
28 **Improvements--Program I)**

29 Subsection 216(8) would have prevented state investment in high-
30 occupancy vehicle (HOV) lanes in Clark County until there are two and
31 one-half times as many park and ride lot vehicle spaces as were in
32 existence on January 1, 2002, or until the I-5 bridge is retrofitted to
33 include four southbound general-purpose lanes.

34 The provisions outlined in this subsection would unnecessarily
35 limit the criteria by which decisions to move forward with future HOV

1 lanes in Clark County should be made. The Department of Transportation
2 (DOT) is currently conducting a pilot project in Clark County to
3 evaluate the effectiveness of HOV lanes on Interstate 5. I have vetoed
4 this subsection to provide the DOT, the City of Vancouver, and the
5 Regional Transportation Council of Clark County the opportunity to
6 consider the results of the pilot project and other factors, such as
7 lane usage, before the decision to continue HOV lane projects in Clark
8 County is made.

9 **Subsection 404(5), page 34 (For the State Treasurer-Transfers)**

10 Subsection 404(5) would provide the State Treasurer with the
11 authority to distribute license, permit, and fee revenues from the
12 Motor Vehicle Account to other accounts. The collection and
13 distribution of these revenues, however, is already authorized in
14 statute for the Department of Licensing and the Department of
15 Transportation. This provision would have been in conflict with
16 existing statutory direction.

17 For these reasons, I have vetoed subsections 208(4) and 208(5),
18 pages 9-10; 216(8), pages 17-18; and 404(5), page 34 of Engrossed
19 Substitute House Bill No. 2451.

20 With the exception of subsections 208(4) and 208(5), pages 9-10;
21 216(8), pages 17-18; and 404(5), page 34, Engrossed Substitute House
22 Bill No. 2451 is approved."